

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY

COPY

DATE: March 27, 2008

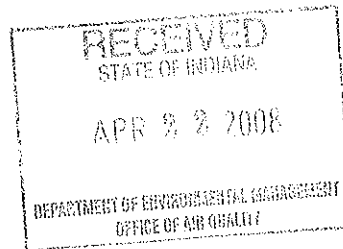
TIME: 6:00 P.M.

PLACE: Evansville Public Library
McCollough Branch
5115 Washington Avenue
Multi-Purpose Meeting Room
Evansville, IN 47715

PRESENT: Mr. Shawn Seals, Hearing Officer
Mr. Scott Deloney, Officer

Audience Members

Sharon Shields, Reporter



Sharon Shields
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1 A public hearing of the Southwestern Indiana Draft
2 Redesignation Petition and Maintenance Plan was held at the
3 Evansville Public Library, McCollough Branch, 5115 Washington
4 Avenue, Multi-Purpose Meeting Room, Evansville, Indiana
5 47715, at 6:00 P.M. on March 27, 2008.

6
7 OPENING STATEMENTS BY MR. SHAWN SEALS:

8 All right folks we're going to go ahead and get
9 started if we can.

10
11 This public hearing - this is a public hearing
12 to solely accept comments concerning the Draft Redesignation
13 Petition and Maintenance Plan in association with the annual
14 fine particulate matter standard for the southwestern Indiana
15 Area. This hearing is being held to conform to the
16 provisions in 40 CFR Part 51 regarding public hearings for
17 State Implementation Plan submittals.

18
19 My name is Shawn Seals. I am a Senior
20 Environmental Manager in the Planning Section of the Indiana
21 Department of Environmental management's Office of Air
22 Quality. I have been appointed to act as hearing officer for
23 this public hearing. Also, here with me from the Office of
24 Air Quality is Scott Deloney, of the Air Programs Branch.

1 Notice of the time and place of the hearing was
2 given as provided by law by publication in the following
3 newspapers:

- 4
- 5 1) The Indianapolis Star, Indianapolis, Indiana
 - 6 2) The Evansville Courier, Evansville, Indiana
 - 7 3) The Herald in Jasper, Indiana
- 8

9 The purpose of this public hearing is to
10 provide interested persons an opportunity to offer comments
11 to the State regarding the Draft Redesignation Petition and
12 Maintenance Plan in association with the annual fine
13 particulate matter standard for the Southwestern Indiana
14 Area.

15

16 Appearance blanks have been distributed in the
17 hearing room for all those desiring to be shown appearing on
18 record in this cause. If you have not already filled out a
19 form, please do so and indicate if you are appearing for
20 yourself or on behalf of a group or organization and identify
21 such group or organization. Also, note the capacity in which
22 you appear, such as attorney, officer or authorized
23 spokesperson.

24

25 Any person who is heard or represented at this

1 hearing or who requests notice may be given written notice of
2 the final action taken on this State Implementation Plan
3 submittal. Please indicate on the appearance card if you
4 wish to receive this notification. When appearance cards
5 have been completed, they should be handed to Scott and we
6 will include them in the official record of this proceeding.

7
8 Oral statements will be heard, but written
9 statements may be handed to me or Scott, or can be mailed to
10 the Office of Air Quality on or before close of business on
11 March 31st, 2008. A written transcript of this hearing is
12 being made. The transcript will be open for public
13 inspection and a copy of the transcript will be made
14 available to any person upon payment of the copying cost.

15
16 After the conclusion of this public hearing I
17 will prepare a written report summarizing the comments
18 received at this hearing and recommending changes which may
19 need to be made to this document.

20
21 I would like to introduce the following
22 documents into the record:

- 23
24 1) The notice of public hearing.
25 2) The Draft Request for Redesignation and

1 Maintenance Plan under the Annual National
2 Ambient Air Quality Standard for Fine
3 Particles for the Southwestern Indiana Area

4 3) Supplement to Appendix A, 2005 to 2007 Indiana
5 Monitoring Data Summary Supplement.
6

7 Finally, I would like to briefly go over the
8 contents of the draft document.
9

10 In 1997, the United States Environmental
11 Protection Agency (U.S. EPA) set daily and annual ambient air
12 quality standards for fine particles at 15.0 micrograms per
13 cubic meter on an annual basis and at 65.0 micrograms per
14 cubic meter on a 24 hour or daily basis.
15

16 Legal challenges to the new standards for fine
17 particles resulted in delayed implementation of the standard
18 until February 2001, when the Supreme Court upheld the
19 standards and ruled that the U.S. EPA could proceed with
20 implementation of the new standards. Indiana began
21 monitoring for fine particles in 1999. The U.S. EPA
22 originally designated counties under the fine particle
23 standards based on 2001 through 2003 monitoring data in
24 December 2004. The U.S. EPA designated areas throughout the
25 country as attainment, nonattainment, or unclassifiable.

1 However, the U.S. EPA withdrew a number of counties
2 identified as nonattainment based on updated monitoring data
3 for 2002 through 2004 prior to the effective date of
4 designations, which was April 5, 2005, based on the fact that
5 those counties had met the standard at the close of 2004.
6

7 As required by the Clean Air Act, in 2006 the U.S. EPA
8 reviewed the annual and daily standard for fine particles to
9 verify that the current National Ambient Air Quality
10 Standards or (NAAQS) continue to be protective of human
11 health. Through this detailed review process, the U.S. EPA
12 determined that the 1997 annual standard for fine particles
13 was adequately protective of human health, but that the daily
14 standard needed to be revised. It should be noted that this
15 public hearing is solely related to the Redesignation
16 Petition and Maintenance Plan in association with the ANNUAL
17 fine particulate matter standard as it applied to the
18 Southwestern Indiana Area.
19

20 At the conclusion of 2006, the design value for the
21 area, based on 2004 through 2006 monitoring data, was 15.0
22 micrograms per cubic meter. One year later, the most recent
23 design value for the area, based on 2005 through 2007, held
24 steady at 15.0 micrograms per cubic meter. The following
25 information is taken from U.S. EPA's "Guideline on Data

1 Handling Conventions for the PM NAAQS," U.S. EPA-454/R-99-
2 008, April 1999. Three (3) complete years of fine particles
3 monitoring data are required to demonstrate attainment at a
4 monitoring site. The annual ambient air quality standard for
5 fine particles is met at an ambient air quality monitoring
6 site when the three (3) year average of the annual average of
7 fine particle concentrations is less than or equal to 15.0
8 micrograms per cubic meter. When this occurs, according to
9 the U.S. EPA, the area is in compliance with the standard.
10 Three (3) significant digits must be carried in the
11 computations and values and they are rounded to the nearest
12 0.1 micrograms per cubic meter. Round decimals of .05 or
13 greater upward and those less than .05 downward, 15.049
14 micrograms per cubic meter is the largest concentration that
15 is less than, or equal to 15.0 micrograms per cubic meter.
16 Therefore, for the purpose of this request, the annual fine
17 particles standard is considered to be 15.0 micrograms per
18 cubic meter. Values at or below 15.0 micrograms per cubic
19 meter meet the standard; values equal to or greater than 15.1
20 micrograms per cubic meter exceed the standard. The design
21 value represents fine particle concentrations that are below
22 the National Ambient Air Quality Standard, thus the area is
23 eligible to be redesignated to attainment under the annual
24 fine particle standard and classified as maintenance.

1 IDEM recognizes that the current design value is in
2 fact close to the standard. However, it also should be noted
3 that the area has complied with the standard for two (2)
4 consecutive years. Furthermore, photochemical modeling
5 conducted by the State of Indiana, the Midwest Regional
6 Planning Organization, and the U.S. EPA demonstrates that
7 beginning in 2009, the Southwest Indiana Area will benefit
8 greatly from the implementation of the Clean Air Interstate
9 Rule, with projected design values well below the standard
10 and providing for an ample margin of safety. These modeling
11 results are considered to be conservative, as they do not
12 include emission reductions that will occur as a result of
13 several federal control programs including substantial off-
14 road diesel fuel and engine reductions.

15
16 To meet the regulatory requirements put forth by U.S.
17 EPA in relation to National Ambient Air Quality Standards,
18 IDEM must submit a State Implementation Plan (also known as a
19 SIP) no later than April 5th of 2008. In lieu of an
20 attainment SIP that verifies to the U.S. EPA that the area is
21 "on target" to meet the annual National Ambient Air Quality
22 Standard for fine particles based on monitoring and modeling
23 information, IDEM deemed - deemed it more appropriate to
24 submit a redesignation SIP that demonstrates that the area
25 has already met the standard.

1 Being classified as a maintenance area means that the
2 State has to ensure that the overall emissions inventory does
3 not exceed the current levels, and that regulatory decisions
4 do not interfere with the area's ability to maintain
5 compliance with the standard.

6
7 The Indiana Department of Environmental Management has
8 prepared this Draft Request for Redesignation and Maintenance
9 Plan under the Annual National Ambient Air Quality Standard
10 for Fine Particles for the Southwestern Indiana Area
11 consistent with U.S. EPA guidance. The draft petition
12 outlines a demonstration that the area has attained the
13 standard based on monitored concentrations, and that the
14 reductions in monitored concentrations are attributable to
15 permanent and enforceable regional reductions in precursor
16 emissions, specifically reductions of oxides of nitrogen and
17 sulfur dioxide. Furthermore, the draft maintenance plan
18 outlines the following:

19
20 The Southwestern Indiana area does not significantly
21 Contribute to violations outside its portion of the
22 nonattainment area.

23 Redesignation - redesignating the area to attainment
24 will not adversely affect any downwind area's
25 ability to attain the standard.

1 Regional precursor emissions of oxides of nitrogen
2 and sulfur dioxide will continue to decline in the
3 future.

4 Due to existing and future emission controls, the
5 area's air quality is not projected to worsen, and
6 should improve further over time.

7 A commitment for all existing emission controls to
8 remain in place.

9 A commitment to revise the plan within eight (8)
10 years of redesignation.

11 A commitment to adopt and expeditiously implement
12 necessary corrective actions if a warning or action
13 level response is triggered.

- 14 o An action level response is triggered by a
15 violation of the standard 3-year average of
16 15.1 micrograms per cubic meter.

17 A mobile source budget for transportation conformity
18 purposes.

19
20 This concludes my comments regarding the Draft
21 Request for Redesignation and Maintenance Plan under the
22 Annual National Ambient Air Quality Standard for Fine
23 Particles for Southwestern Indiana. Before opening this
24 hearing for public comments, may I once again remind you that
25 this hearing pertains solely to this Draft Redesignation

1 Petition and Maintenance Plan and only comments germane to
2 this matter will be considered as part of the public record.

3
4 Scott and I will be available following this
5 hearing to address any questions you may have that do not
6 pertain to this specific matter.

7
8 Due to the number of people with us tonight and
9 the time constraints of the use of this room based on library
10 hours of operation, we will need each person to limit their
11 comments to no more than five (5) minutes. At the close of
12 this five (5) minute period please indicate to us if you
13 would like to be recalled after all comments have been
14 received and if there is time remaining at the end.

15
16 This hearing is now open for public comment.
17 Are there any public comments?

18
19 **MR. DELONY:**

20 We actually have quite a few. I've got a
21 number of cards. I am going to be ah calling - calling upon
22 individuals that have filled out ah forms to be on record for
23 providing oral comments tonight. If anybody else is - wishes
24 to speak all you need to do is fill out a form and bring it
25 to the table at any time during the proceeding and I will

1 call upon you in the order in which we receive them.

2
3 What I do need to ask though is is that if you
4 could come to the podium because the - our Public Recorder
5 has a microphone and we need to make sure that she gets your
6 comments properly reflected within the transcript for this
7 hearing.

8
9 And if you have written comments that you wish
10 to provide at that same time please bring them with you and
11 you can hand them to the Recorder and she will make sure that
12 they get attributed to the proper party.

13
14 Our first commenter this evening is Christine
15 Belt.

16
17 **MR. SEALS:**

18 What I would like to add while Christine is
19 walking to the podium is for the sake of trying to stick to
20 the five (5) minutes so that everybody does get their time we
21 have an individual in the back of the room, Robert Elstro,
22 from our office, who has his hand in the air. He will
23 signify to the commenter when you have one (1) minute
24 remaining. Thank you.
25

1 MS. BELT:

2 My name is Christine Belt. Thank you for the
3 opportunity to submit my comments today.

4 According to the EPA's website health studies
5 have shown a significant association between exposure to fine
6 particles and premature death from heart or lung disease.
7 Fine particles can aggravate heart and lung diseases and have
8 been linked to effects such as: cardiovascular symptoms;
9 cardiac arrhythmias; heart attacks; respiratory symptoms;
10 asthma attacks; and bronchitis. These effects can result in
11 increased hospital admissions, emergency room visits,
12 absences from work or school, and restricted activity days.

13 I can personally account for these severe
14 adverse effects - health effects, because I suffered a severe
15 respiratory allergic attack as a direct result of exposure to
16 high Particulate Matter 2.5 concentrations. I have never
17 experienced a severe respiratory allergic attack before -
18 that is, until 2007.

19 As recorded in the Evansville Courier and Press
20 the following Particulate alert was issued:

21 The Evansville Environmental Protection Agency
22 and the Vanderburgh County Health Department Ozone Office has
23 issued a Particulate Alert for Tuesday, May 29th and
24 Wednesday, May 30th, 2007. It is possible that the level of
25 Particulate Matter 2.5 micrometers in diameter (PM2.5) may

1 reach a twenty-four (24) hour average of thirty-five (35)
2 micrograms per cubic meter.

3 Unfortunately for me, this Particulate Alert
4 came two (2) days too late. I am an avid gardener and I love
5 being outdoors. I had worked outside in my vegetable and
6 flower gardens on the weekend of May 27th, 2007. After
7 working outdoors, I became quite ill with difficulty
8 breathing and other respiratory problems. I presented to my
9 physician; he told me I had suffered a severe upper
10 respiratory allergy attack, and then prescribed a series of
11 steroids and medications used by asthma patients.

12 I found this very troubling - for one (1), I
13 had never experienced severe respiratory problems until
14 moving to the Evansville area. I am a non-smoker, and had
15 always been relatively healthy and active. Now I needed to
16 take steroids and asthma medications to recover from simply
17 being outdoors.

18 I later discovered, according to the monitoring
19 data available, PM2.5 concentrations on May 27th, 2007 were
20 twenty-seven point seven (27.7) to twenty-nine point nine
21 (29.9) micrograms per cubic meter. (Incidentally, the
22 twenty-nine point nine (29.9) micrograms per cubic meter Mill
23 Road monitor reading was not listed in the monitor
24 information provided by the Vanderburgh County Health
25 Department). As to why the Mill Road monitor's higher

1 reading was left out of the information provided can only be
2 left to conjecture.

3 According to an - according to an article in
4 the Evansville Courier and Press,
5 ([http://www.courierpress.com/news/2008/mar/10/city-worries-
7 about-air-alert-increase/](http://www.courierpress.com/news/2008/mar/10/city-worries-
6 about-air-alert-increase/)), in 2007, the EPA issued twenty-
8 four (24) Air Quality Alerts for our area. I wonder how many
9 Air Quality Alerts were not issued because monitor data was
10 not being tracked nor recorded. In any case, alerts are
11 issued because there is a severe health risk - PM2.5 gets
12 deep into the lungs where it can't easily be expelled and can
13 lead to respiratory problems, heart disease and heart
14 attacks. When particulate levels reach dangerous
15 proportions, the Health Department is obligated to protect
16 public - public health.

17 I deeply hope that the Health Department and
18 the EPA continue to take this health matter seriously and
19 continue to issue Air Quality Alerts when necessary to
20 protect the public - I do not want to experience another
21 respiratory attack like I had last year; since the PM2.5
22 matter is now deeply in my lungs, I'm afraid that if there is
23 a next time, the attack will be even more serious in nature.
24 The general public needs to know when they need to take extra
25 measures to protect themselves from this dangerous
particulate matter.

1 I ask the EPA to take into account the
2 monitoring data as it stands, but also consider the monitor -
3 the monitoring data is incomplete and when all data sources
4 are considered, our area is in nonattainment for PM2.5
5 according to the EPA's standards.

6 Thank you.

7
8 (AUDIENCE APPLAUSE)
9

10 MR. DELONEY:

11 Our next ah commenter this evening is John
12 Blair.
13

14 MR. BLAIR:

15 Yes thank you. My name is John Blair. I'm
16 representing the group Valley Watch. Our purpose is to
17 protect public health and environment of the lower Ohio River
18 Valley.

19 I am going to ah ask your indulgence. I may go
20 over five (5) minutes because I have done significant
21 research on - on the data points especially on this issue
22 that need to be done in open hearing. And if somebody who is
23 registered to speak might indulge me and give me part of
24 their time I would appreciate that.
25

1 MS. OGLESBY:

2 You can have mine.

3
4 MR. BLAIR:

5 Please accept our comments on the reference
6 petition - referenced petition and plan. Valley Watch is a
7 not-for-profit corporation whose purpose is "to protect the
8 public health and environment of the lower Ohio River
9 Valley". That includes all of the areas that IDEM is
10 petitioning to redesignate to attainment.

11 Because our purpose is the protection of
12 health, we strongly object to IDEM's petition being
13 premature, failing to protect community health, and being
14 sufficiently inconclusive due to serious gaps in the
15 supportive data to meet the nec - level necessary to be
16 acceptable under the Clean Air Act, especially since we are
17 dealing, what you admitted a while ago, with very small
18 numbers ah and this whole effort is very close to the margin.

19 First of all I would like to talk about health
20 and I won't talk - won't discuss that a whole lot because I
21 am trying to keep this short. But I have and I will enter
22 into the record as Exhibit One (1) of Valley Watch's comments
23 the letter from the Clean Air Scientific Advisory Committee
24 to Administrator Johnson ah complaining about the fact that
25 the Ambient Air Quality Standards that were set in 2006 is

1 not protective of - of public health. And I think that it's
2 been pretty much ascertained across the board by the entire
3 scientific community that 15.0 micrograms per cubic meter
4 does not protect the public health let alone protect it with
5 a - a margin of safety. So I will skip through that except
6 to say that we had a day - it is - it's clear from the data
7 in 2005 that our fine particle levels can stay high for long
8 periods and there have been at least two (2) - there have
9 been days in the last two (2) years when visibility was nil
10 and asthma ran rampant. In 2006, PM2.5 levels soared to a
11 whopping seventy-three point six (73.6) micrograms per cubic
12 meter on a day that a high school athlete died of an unknown
13 heart problem in Henderson County - Kentucky. It was later
14 found that his condition was consistent with illnesses
15 exacerbated by increased levels of fine particle pollution.

16 Such high readings are not a fluke. When
17 conditions are right, fine particle formation from sulfur and
18 nitrogen oxide emissions from the numerous power plants in
19 the - our region get out of hand. Temperature inversions
20 coupled with hot air can cause severe build up of PM2.5 that
21 results in respiratory illnesses and other maladies,
22 especially to people who suffer from those sorts of illnesses
23 already.

24 A study conducted in 1998 showed that a child
25 from nine (9) to thirteen (13) in Evansville, Indiana was

1 five (5) times more likely to be hospitalized with asthma
2 than his counterpart in Ft Wayne. There's only one
3 difference demographically really and that's that we have
4 power plants surrounding this community whereas Ft. Wayne has
5 no power plants anywhere to be found within about a hundred
6 (100) miles of their community.

7 In 2006 eGRID, the data base that is designed
8 by D.O.E. and the U.S. EPA to accept all emissions from these
9 power plants, showed that just two (2) facilities in this
10 region had over two hundred thousand (200,000) tons of sulfur
11 dioxide and eighteen thousand (18,000) tons of nitrogen
12 oxides. That's the Gibson Power Plant and the Rockport Power
13 Plant. That doesn't count the other sixteen (16) or
14 seventeen (17) units that are around here.

15 In 2005 Valley Watch was encouraged that the
16 Clean Air Interstate Rule would result in a large reduction
17 of those chemicals in our region. But a look at those, just
18 those two (2) power plants, shows that reductions will be
19 limited at best at Duke since they're only putting scrubbers
20 on the three (3) units that are under CAIR of a fifty (50)
21 percent reduction instead of the ninety-eight (98) or ninety-
22 nine (99) percent reduction that is available at Best
23 Available Control Technology now so Duke is basically doing
24 it on the cheek. AEP's Rockport is not doing it at all until
25 2018 so that's only ten (10) years for us to suffer continued

1 ill health.

2 Ah to further complicate potential positive
3 impacts of CAIR, a recent court hearing just this week on
4 March 25th was very bad for us as far as CAIR. You were
5 mentioning that CAIR was really an important function in the
6 ability for IDEM to undertake this petition. But it looked
7 like CAIR is going to be overturned and when it's overturned
8 all the assumptions that you've made in this document are
9 going to be overturned as well. Because we won't see the
10 reductions of sulfur dioxide, we won't see the reductions of
11 nitrogen oxides that CAIR was supposed to bring. And I've
12 offered a story that's dated tomorrow from Inside EPA which
13 confirms the gravity of this situation as far the Clean Air
14 Intestate Rule is concerned.

15 Couple these issues with the fact that IDEM has
16 chosen to ignore that it is well established, with sound
17 science, that health impacts occur at levels well below the
18 politically based standard of 15.0 micrograms per cubic meter
19 and you can see a pattern here.

20 The whole NAAQS section of the Clean Air Act is
21 designed to be protective of human health with an adequate
22 margin of safety. The action IDEM is seeking to invoke today
23 is not protective of the established understanding of human
24 health scientifically and should be withdrawn by either IDEM
25 or EPA as not protective of health.

1 But here is the really important part of my
2 testimony. I've looked over the data that you guys are using
3 and there are serious, serious gaps in the data. IDEM would
4 have us believe that actual data shows that over the last
5 several years fine particles have improved to the point that
6 we can be considered as "attainment".

7 Unfortunately, the data they seek to base that
8 determination on has serious gaps which should shock - stop
9 this action in its tracks immediately, at least for another
10 year so we can see what 2008 tells us.

11 First IDEM has chosen data from 2004 through
12 2006 and it's clear that since we have data available for
13 2005 through 2007 that that is the data that should be used.
14 Why they've chosen to do 2004 through 2006 can only be left
15 to conjecture except that one (1) of the things about
16 redesignation that EPA says in their guidance is that you
17 shouldn't use "unusual meteorology" to - to formulate a
18 redesignation. And frankly 2004 was one (1) of the coolest
19 summers we've ever had in this region. So it should be
20 thrown out just on that basis alone which gives you 2005
21 through 2007.

22 But that's only a minor aspect of the serious
23 data gaps we've identified. If data for 2005, 2006 and 2007
24 which is propriate - appropriate, it is easy to find huge
25 gaps that make the determination to attainment dubious if not

1 fraudulent.

2 IDEM claims to have data to back up this
3 petition but when thirteen (13) percent of the data is
4 missing for 2006 and sixteen (16) percent of the data is
5 missing for 2007, mostly during periods when high levels of
6 fine particles are historically formed, their whole data set
7 must be thrown into question.

8 In 2006 and 2007 numerous readings from the
9 "official" monitor, the one (1) that actually gathers
10 physical evidence at the Evansville Civic Center, were
11 missing entirely. In fact, during the months of June and
12 August, two (2) months when fine particle formation has
13 historically been at its peak, more than half of the data for
14 those two (2) months is gone, vanished, disappeared. How on
15 earth can you possibly determine that this data that you're
16 using is decent enough to make this real determination, and
17 you're going to hear other health stories tonight, that are
18 going to impact the health of people for eight (8) years?

19 But it's not simply the fact that the data is
20 missing that is a problem, it is also a problem that on nine
21 (9) of the eleven (11) missing days during those months,
22 PM2.5 levels at the other Evansville monitors showed values
23 in excess of the Annual NAQSS for PM2.5 and several reaching
24 levels that doubled that standard. And I've included Exhibit
25 Three (3) as a spread sheet to show you that.

1 Who knows what the reading on the Civic Center
2 monitor would have been? We feel that it's a significant
3 data gap that is sign - that is sufficient to stop this
4 process dead in its tracks and shouldn't go any further.

5 What caused the data gaps are uncertain.
6 Malfeasance, ineptitude, and even intent could be
7 responsible. For years the monitors have been the
8 responsibility of the Evansville EPA. Over those same years
9 the local EPA has been an advocate of relaxed air pollution
10 rules and has shown a distinct bias toward increased economic
11 activity instead of the protection of public health. They
12 have been unusually slow in alerting the public, as you've
13 already heard one testify to, when el - levels increased,
14 especially last year. They missed it a number of times and I
15 had to notify the public that these levels were increasing.

16 The head of the Evansville EPA, the person
17 responsible for the collecting the data, is a former member
18 of the "Environmental Committee" of the Evansville Chamber of
19 Commerce. Now the Southwestern Indiana Chamber or whatever.
20 She is no longer a member of that committee but she is
21 married to another member of that committee I understand now
22 after reading a story in the paper about their very nice new
23 home.

24 The Chamber is presided over by a man, who just
25 last year very publicly complained about our PM2.5

1 designation as being unfair. Specifically, Chamber
2 president, Matt Meadors declared at the Energy Summit of
3 Southwestern Indiana on August 31st, 2007, quote "Personally I
4 believe the designation is unfair and shortsighted. I do not
5 believe the region deserves to be punished and penalized
6 simply because we have been blessed with an abundance of coal
7 and the corresponding coal generating power facilities that
8 locate here - that locate here on top of these deposits".
9

10 MR. SEALS:

11 Mr. Blair if I may we've given you an
12 additional five (5) minutes.
13

14 MR. BLAIR:

15 We do not like the appearance of all this. The
16 connection between the regulators and those who are supposed
17 to regulate should be above the appearance of impropriety.
18

19 MR. SEALS:

20 Mr. Blair you will be allowed --
21

22 MR. BLAIR:

23 In this case they are clearly not.
24
25

1 MR. SEALS:

2 We will let you --

3
4 MR. BLAIR:

5 Why is the reason so many days of data are
6 missing, especially when evidence is available to show that
7 particle levels were high enough to raise the overall design
8 value that pertains to air quality designations. There is no
9 explanation attached to anything we have read to explain why
10 the data is missing. Who knows? Was it lost? Was it
11 contaminated? Are the filter samples still available for
12 analysis? Have - have they been tampered with? There -
13 these are questions that need to be answered before we can
14 claim our air quality is now safe.

15 If our design value was approaching the level
16 recommended by the Clear Air Scientific Advisory Committee of
17 fourteen (14) maximum this wouldn't be an issue. But we are
18 so close to the standard that we have to have complete and
19 veri - verifiable data and we do not. If you guys go forward
20 with this I think you're opening yourself to a - to a legal
21 action that under discovery we will find out why this data is
22 missing.

23
24 MR. SEALS:

25 Mr. Blair I'm sorry.

1 MR. BLAIR:

2 Yes I'm sorry too. Because I'm going to finish
3 what I have to say. I've worked awfully dif - awfully hard
4 on this and I - I'm allowed --

5
6 MR. SEALS:

7 Mr. Blair as I've said it is interfering with
8 other people's opportunity to speak.

9
10 AUDIENCE MEMBER:

11 Can somebody else give up their time for John?

12
13 MR. SEALS:

14 Yes. Because what I would like to do I'd be -
15 I would be more than happy to provide people more time.

16
17 MR. BLAIR:

18 You've got at least three (3) people here that
19 are giving up their time.

20
21 MS. BREDHOLD:

22 He can have my time.

23
24 MR. OGLESBY:

25 I just gave you my card. I would like to give

1 that time to John so that will give him more time.

2
3 MR. SEALS:

4 That's fine but he's already - he's already
5 fifteen (15) minutes --

6
7 MR. BLAIR:

8 Well you're interrupting me enough and it's
9 delaying what I was going to say anyway. So why don't you be
10 quiet, let me talk and then we will finish this thing?

11
12 MS. KRAUSE:

13 He can have my time as well.

14
15 MR. SEALS:

16 Okay. And your name?

17
18 MS. KRAUSE:

19 Heidi Krause.

20
21 MR. SEALS:

22 Heidi and Wendy. And sir I'm sorry, I didn't
23 grab your name.

1 MR. OGLESBY:

2 My name is George Oglesby.

3
4 MR. SEALS:

5 George thank you. Continue Mr. Blair.

6
7 MR. BLAIR:

8 Thank you. If our design value was approaching
9 the level recommended by CASAC, a level that is considered
10 "safe", the data missing that - the data missing on days of
11 high levels would not be such an issue. But, in this case,
12 IDEM is seeking to use incomplete data, knowing that there -
13 there are significant and germane gaps in the veracity and
14 design values - with design values extremely close to the
15 standard already.

16 The three (3) year readings for this region,
17 even by IDEM calculations and using incomplete data, meet the
18 standard with very little room for error. One (1) monitor at
19 the University of Evansville even surpasses the data although
20 your "rounding" protocol allows it to go much higher.

21 Valley Watch believes that this petition should
22 be rejected due to the high level of uncertainty presented by
23 the data IDEM is using that has so many significant gaps at
24 times when the gaps could, indeed, change the outcome of the
25 petition.

1 To have values based on faulty data to
2 determine attainment of a standard that is already set too
3 high to be protective of human health is not what the whole
4 NAAQS process was about. When Congress passed the Clean Air
5 Act in 1977 that set up the National Ambient Air Quality
6 Standard they wanted it to be protective of health. They did
7 not say one (1) thing about being protective of the
8 polluters. And that is what you're trying to do here.

9
10 AUDIENCE MEMBER:

11 Right.

12
13 MR. BLAIR:

14 Congress wanted the Act to be a - a function of
15 - to protect health with a margin of safety. This petition
16 is a - a clear rejection of those principles codified in the
17 Act and it is clearly designed to allow for increased
18 pollution in an area that already has air saturated with
19 toxic chemicals, fine particles and ozone. And we're going
20 to be in nonattainment of the ozone values unless you guys
21 manipulate the data another way to make up attainment for
22 that. But the new ozone standard I - I - surely you're aware
23 that there's a new standard out there. It was published in
24 the Federal Register today.

25 We are uncertain what the compilation of

1 another year's data would yield but whatever the result would
2 be, it is essential that a redesignation be based on complete
3 and verifiable data which you do not have with a - with the
4 packet that you have chosen to submit. In this case, the
5 data is neither complete or verifiable and the petition
6 should be rejected.

7 Now I will try to run over the rest of this a
8 little quicker. Ah but I think it's important to understand
9 why this petition is being done at this time. It doesn't
10 have anything to do with anything except Mitch Daniels'
11 proposal to build more coal fired power plants in this
12 region. That's the only thing that's at stake. He stated
13 very often and thoroughly that he wants this area to be the
14 "sacrifice zone" for the whole nation's energy use. Coal
15 gasification, coal power, electric power, coal to liquid.
16 He's got it all on his agenda and he's the one (1) that is
17 pushing this. I didn't hear - I don't see Jonathan
18 Weinzapfel out here in the audience wanting to say - wanting
19 to say that this is going to benefit Evansville. Why?
20 Because he may be concerned about the health of people that
21 live in this area too. It's clear that Mitch Daniels doesn't
22 care and that's why I produced this little green American
23 flag.

24
25 (AUDIENCE APPLAUSE)

1 MR. BLAIR:

2 That shows what he - and by the way that's
3 Mitch's eyes in the middle of this. I've also considered him
4 Mad Mitch. This guy is out to destroy out health in this
5 region. And we ought to recognize that. And that's not a
6 political statement because if he was of another Dem - if he
7 was a Democrat or of another political persuasion I would be
8 saying the same thing. But we know of ways especially that
9 the Governor and his - and his minion, the Commissioner of
10 IDEM, is doing everything they can. In fact I met with Tom
11 Easterly almost three (3) weeks after he took office and you
12 know what he told me? He said IDEM is an Economic
13 Development Agency. It doesn't have anything to do with
14 protection of health although it says on their map deck
15 protecting the health of Hoosiers. It's not true. He
16 doesn't care. That's why we're almost number - we're almost
17 in the top three (3) of sulfur dioxide and nitrogen oxide and
18 particulate matter. We're fourth in mercury and we are the
19 only ones that are going forth to do more things.

20 Forbes Magazine just recently wrote things and
21 was talking about the "Greenest" states in the union. They
22 said "So who's at the bottom of this Green list? Louisiana,
23 Alabama, In - I'm sorry. Mississippi, Louisiana, Alabama,
24 Indiana and at fifty (50), West Virginia. And here's what
25 they said. "All suffer from a mix of toxic waste, lots of

1 pollution and consumption and no clear plans to do anything
2 about it".

3 If this petition is accepted by EPA, and
4 frankly we have no doubt that it will be because you guys are
5 so good at manipulating the data, it will mean that people of
6 this region will once again be forced to subsidize the
7 profits of polluting industry with their health. And that
8 happens all the time. Our health insurance rates in this
9 region are higher than the rest of the State. And it's
10 because we have so many assaults on our health on a continual
11 basis.

12 Of course this is the way it has been for years
13 as Forbes stated so succinctly and eloquently.

14 But we have grown weary of such foul treatment
15 by our government and it appears a movement is afoot which
16 encourages people to stand up and say, "We've had enough!
17 We're tired of being a health sacrifice zone so that others
18 can - can consume and waste energy needlessly".

19 IDEM's petition and its presumed success at the
20 Federal level will serve to accelerate the feeling of
21 disenfranchisement among citizens of Southwest Indiana. It
22 may even empower a whole new generation of activists and
23 concerned citizens who are fed up with a government that
24 shuns the needs of its citizens while enhancing the prospects
25 of profit for a few.

1 One thing is certain, however, and that is that
2 this petition will make our - will not make our air
3 healthier. It simply will not make our air better. In fact,
4 the likely outcome is further degradation of regional air
5 quality and those are the facts on - for which the Governor
6 and IDEM should be very ashamed.

7 Thanks for the extra time.

8
9 (AUDIENCE APPLAUSE)

10
11 MR. SEALS:

12 Ma'am I didn't get your time when you
13 volunteered your time.

14
15 MS. OGLESBY:

16 Carol Oglesby.

17
18 MR. SEALS:

19 Thank you. Next up I have Jessica Boyd.

20
21 MS. BOYD:

22 My name is Jessica Boyd. I oppose the
23 redesignation of the att - of the attainment because
24 obviously our health is unacceptable. I don't know how even
25 - it made a lot of people get crazy.

1 I can literally feel the particulates now.
2 I've gotten so used to it that when I wake up in the morning
3 I can feel when the particulates are high. I can - I can
4 feel it in my throat, feel it in my lungs, I can feel it even
5 in my head. And I've got a lot of I fears, so many people
6 saying the same thing that they have feeling of ah like
7 dizziness and disconnected feelings.

8 And I get up and I check on the internet. I
9 have to actually look on the internet every single day
10 before I go outside and do anything strenuous to see if the
11 particulates are high. That is absurd. That's - this is
12 not to be happening. We should not be used to you know
13 getting sick.

14 It's not normal for all these kids to have
15 asthma. I know that we're just so anesthetized to
16 everything that it's just become normal for us but it's not
17 normal. And putting us in attainment is just saying, hey
18 come on everybody let's pollute some more. We can't get
19 enough.

20
21 MS. OGLESBY:

22 That's right.
23

24 MS. BOYD:

25 That's what you're saying. And you're saying

1 it's okay. And I tell you what, nineteen (19) days of 2007
2 were unaccounted for of da - I'm sorry, of data at the Civic
3 Center. Why? I want to know why? Before you tell us that
4 we are 14.8 and that we are just a couple of decimals away
5 from a 15.049 that - this is going to make us healthier? I
6 mean - that we're okay at 14.8? No, we're not okay.

7 The Clean Air Scientific Advisory Committee
8 says we should be between thirteen (13) and fourteen (14) to
9 just barely make it. So if you're going to tell us that
10 fifteen (15) is - I mean I just don't understand your way of
11 thinking.

12 And EPA, Environmental Protection, whose
13 environment are you protecting? It's certainly not ours.
14 It's certainly not our health. It's certainly not - this
15 little girl right here, do you want to see her sick? That's
16 what's going to happen if you keep us unhealthy and sick
17 like this.

18 And ah 200 - okay you're not going to use 2007
19 data I've been told but you want to use 2006 data of sixteen
20 (16) days were unaccounted for on that same Civic Center
21 monitor. And ah I've got these - I've done the research on
22 this and 2007 most of those days of those nineteen (19) days
23 that were missing that are not accounted for on this Civic
24 Center monitor, are all high particulate days. That's
25 convenient.

1 MS. OGLESBY:

2 Yes.

3
4 MS. BOYD:

5 Is that just coincidence? I'm sure.

6
7 (AUDIENCE APPLAUSE)

8
9 MS. BOYD:

10 Whose pocket are you in? Ah 2004 is not a bad
11 year. You're going to count that as one (1) of the three (3)
12 year - three-year averages. 2007 was a horrible year but
13 you're not counting that. There is something so wrong here.

14 And it feels to - it seems to me like you're
15 trying to put us in some kind of Auschwitz by forcing us to
16 breathe poison and I'm not going to stand for it. I will
17 fight all the way. And I will find out why you're data is
18 missing this much data. I don't know what you're going to do
19 about it but I know what I'm going to do about it. I'm not
20 going to allow this anymore. Our kids are going to have to
21 pay for it and we're going to have to pay for it and it's
22 unacceptable.

23 Thanks.

24
25 (AUDIENCE APPLAUSE)

1 MR. DELONEY:

2 The next card I have ah last name Wertz?

3
4 MS. WERTZ:

5 Okay. I guess my five (5) minutes begins now.

6 The Indiana Dep - Department of Environmental
7 Management is paid for with public tax dollars which means
8 IDEM works for me, a resident and tax payer of Indiana and
9 other residents of Southwestern Indiana.

10 I believe that Vanderburgh County should not be
11 able to qualify for attainment status nor Southwest Indiana
12 in general based on the air monitor readings. In the past
13 year air monitors show Vanderburgh County violated the annual
14 standards of 15 micrograms per cubic meter several times and
15 there's a significant amount of data missing as others have
16 shown.

17 The data - (phone ringing) I'm sorry could you
18 please stop that?

19
20 MS. LEWIS:

21 I'm trying.

22
23 MS. WERTZ:

24 The days that daily monitor readings were not
25 taken happens to be on days where the amount of fine

1 particulate matter was high, which shows the data is being
2 manipulated to lead us to believe that fine particle levels
3 in the air are lower than they actually are.

4 Other counties north of here, Pike and Gibson,
5 don't even have an air monitor data yet at all. Beyond the
6 obvious insufficient data there are many more reasons to keep
7 Southwest Indiana in nonattainment status. Having attainment
8 status means being able to build more coal plants which the
9 citizens of this region have consistently shown in past
10 recent years they do not want.

11 The costs of coal fired plants are high from
12 increases of taxes to increase in energy bill rates to
13 individuals. Moreover, high levels of fine particulate
14 matter emitted by coal plants are proven to lead to major
15 increases in respiratory conditions such as asthma and cardio
16 vascular conditions such as heart attacks and strokes and a
17 worsening of pre-existing conditions.

18 The occurrence of these negative health effects
19 are at high levels in this county alone and the fact that
20 they are caused by these existing coal plants makes the idea
21 corporation giving - makes the idea of giving corporations
22 more legal abilities to build more are ridiculous phenomenon.

23 The last major study on asthma in this county
24 examined data from over a decade ago. This study done at the
25 South - the University of Southwestern Indiana by a

1 Partnership in Hope showed that children in Vanderburgh
2 County ages nine (9) to thirteen (13) years old are five (5)
3 times more likely to be hospitalized for asthma than children
4 of the same age in other similar counties in Indiana.

5 According to the study hospital claims for
6 asthma service in Vanderburgh County average well over one
7 million dollars (\$1,000,000) for 1996 and 1997. These
8 numbers cannot have decreased since then but again, due to
9 lack of data, IDEM cannot sufficiently use statistics
10 regarding health and make any sort of intelligent decision to
11 put this county in attainment status.

12 If my taxes are going to increase I want them
13 to increase because my government agencies are doing what is
14 appropriate and necessary to protect the health of people in
15 my community, the environment and wildlife in the area and
16 the overall quality of life.

17 However, it is apparent to me that IDEM is not
18 interested in doing that otherwise they would not even be
19 considering violating the legal standards for attainment
20 status in Southwestern Indiana especially without sufficient
21 data to make such a determination. The monitors and high
22 levels of asthma of children and people in our county should
23 be enough for them - for IDEM to continue the nonattainment
24 status for Vanderburgh County.

25 IDEM does not truly give two (2) hoots about

1 opposition to the draft proposal, community health or quality
2 of life in Southwestern Indiana. What do they care about?
3 Energy preparations and a piece of the profit from coal.

4 If you watch the man in the blue shirt look at
5 how he's visibly getting nervous by the testimony of John and
6 others opposed to this. Why is he so nervous? Isn't he just
7 a public servant? Or is he a servant of those who are
8 ruining out lives, are causing a blight in beautiful
9 Southwestern Indiana?

10 For my future, for my children's future and for
11 the future of this community nonattainment status for
12 Vanderburgh County in Southwestern Indiana.

13
14 (AUDIENCE APPLAUSE)

15
16 MR. SEALS:

17 Do you want me to take your script so that it's
18 entered in officially?

19
20 MS. WERTZ:

21 No.

22
23 MR. DELONEY:

24 Next I have Shannon Lewis.
25

1 MS. LEWIS:

2 I represent the Pike-Gibson Citizens for
3 Quality Environment. Ah we're located in Oakland City,
4 Indiana. I've come down to - to talk to you about this.
5 IDEM is reporting that Evansville Metro Statistical Area,
6 which includes Gibson, Posey, Vanderburgh and Warrick
7 Counties, is barely low - below the standard of 15.0
8 micrograms per cubic meter. According to the 2008 Ambient
9 Air Monitoring plan page forty (40) dictates that the highest
10 site design value in an MSA is generally determined by - to
11 be the design value for the area. Hence, Evansville's Annual
12 Design Value in micrograms per cubic meter from 2004-2006 was
13 14.8 barely under the 15.0.

14 Additionally, Dubois showed an average that
15 only met the standard of 15.0. This is even more troubling
16 when you look at appendix A of the redesignation plan. It
17 showed that in '05 all Southwestern Indiana PM2.5 monitors
18 show readings at or above 17.0. Additionally, this appendix
19 illustrates that five (5) of the eight (8) years of Southwest
20 Indiana has been above the standard; we have - with '05 being
21 the 2nd highest in PM2.5 concentrations.

22 Additionally, the redesignation plan does not
23 illustrate the impact of the following pending developments
24 that affect - affect our regional air shed: Cash Creek is
25 six hundred forty (640) MW gasification power plant that's

1 going to go in in Henderson, Kentucky twenty (20) miles away.
2 Duke Energy, a sixteen (16) - ah six hundred and forty (640)
3 MW gasification power point - plant in Edwardsport, Indiana
4 approximately forty-four (44) miles away. United Supply of
5 America, a two hundred and seventy (270) MW coal fired power
6 plant in Grayville, Illinois, approximately thirty (30) miles
7 from here. Ah Illinois Cropland & Energy, six hundred (600)
8 - sixty (60,000,000) million gallons Ethanol Refinery in Gray
9 - in Grayville, Illinois, approximately thirty (30) miles.
10 AS Alliance a hundred million (100,000,000) gallon Ethanol
11 Refinery in Mt. Vernon, Indiana, approximately fifteen (15)
12 miles due west. Aventine, two hundred twenty-six million
13 (226,000,000) gallon Ethanol Refinery in Mt. Vernon,
14 approximately ten (10) miles. Abengoa Bioenergy a ninety
15 (90,000,000) million gallon Ethanol Refinery in Posey County
16 approximately two (2) miles. The Ripatti Group, thirty (30)
17 MW power plant and fifty million (50,000,000) gallon ah per
18 year Ethanol Refinery co-location in Oakland City, twenty-
19 five (25) miles. Vectren's hundred (100) MW Peaker Power
20 Plant in Francisco, Indiana, approximately ten (10) miles.
21 CSX, Kings Rail Yard in Gibson County where diesel
22 locomotives will soon be sitting and idling approximately
23 twenty (20) miles. Rockport Ethanol, two hundred million
24 (200,000,000) gallon Ethanol Refinery in Rockport, Indiana,
25 thirty-two (32) miles. Indiana Gasification, coal

1 gasification facility in Rockport approximately thirty-two
2 (32) miles. Completion of I-69 will bring seventeen thousand
3 (17,000) semis per day.

4 We urge U.S. EPA to consider these additional
5 developments. As the redesignation plan shows the Evansville
6 Metro Statistical Area is barely below the standard now.
7 With all of the additional polluting industry developing at
8 our door step it remains to be seen if our communities will
9 continue or maintain the standard for PM2.5 that we have
10 barely attained.

11 As this plan states, if attainment is granted
12 it will be for eight (8) years before nonattainment would be
13 reassigned. If our region is getting this much development
14 with so many counties currently in nonattainment what will
15 happen if our air shed - to our air shed if we remove our
16 safe hold? Forbes magazine rated Indiana 49th out of fifty
17 (50) calling us one of the dirtiest states in America. How
18 can we expect to keep our families here, bring in new
19 residents to fill the jobs that we are trying to create with
20 a reputation like that?

21 Our air quality will not only be compromised by
22 the additional 2.5 that is created from the nitrogen oxides
23 and volatile organic compounds that are spewed from the
24 stacks of these factories - facilities, we will also see
25 increased 2.5 from the increase of diesel engines in semi and

1 rail traffic. Trains and trucks will be idling for hours
2 while loading and unloading fuel supplies, finished product,
3 and industrial waste products. Currently, the permitting
4 process does not require facilities to calculate how much 2.5
5 is added to the air shed from these sources of pollution.

6 Another fact that is not outlined in the IDEM
7 plan is that the train locomotives have a very long serv -
8 serviceable life. Many in use today, especially ones that
9 move cars in rail yards and make local short runs, were built
10 in the 1980's, long before the day of emission controls to
11 reduce particulates. The emission controls on trucks and
12 equipment built after February '07 increases the cost by
13 seven (\$7000) to (\$10,000) thousand dollars per truck.
14 Therefore, companies and independent owner-operators are
15 electing to purchase trucks built prior to February '07 that
16 do not have the emission filters. Additionally, more and
17 more companies are re-powering their existing older trucks
18 and equipment in order to save money.

19 IDEM's redesi - redesignation plan assumes that
20 because trucks and equipment built after February '07 have
21 the emission filters that our air quality will not be further
22 compromised. However, in reality, companies are trying to
23 avoid the added expenses to their bottom line. In time these
24 companies will be forced to use the emission filters as their
25 existing equipment will become imp - impossible to get parts

1 for for - and will eventually become completely
2 unserviceable. However, this process will take much longer
3 than what IDEM is anticipating. That reality is not outlined
4 in the models set forth in the rede - redesignation plan.

5 In January of '08, after much input from the
6 public, IDEM added a 2.5 monitor in Oakland City. The fact
7 that there is a high concentration of existing coal fired
8 plants polluting this never before monitored area is why the
9 monitor was installed. Why add the monitor to a community if
10 they already had plans to eliminate nonattainment status for
11 the region?

12 Moreover, IDEM is recommending attainment for
13 areas that have no monitors and have never been monitored.
14 There are no 2.5 monitors and no data for Pike, Gibson,
15 Warrick and Posey Counties. The air monitor in Oakland City
16 was installed on the Pike-Gibson County line so that it could
17 be representative of air quality of both counties; however,
18 the data is too new and was not included. Additionally, this
19 monitor has been operational for three (3) months and the
20 citizens have not been able to obtain readings from the
21 monitor. IDEM does not have any results online.

22
23 MR. SEALS:

24 Ms. Lewis, excuse me.
25

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25

MS. LEWIS:

Sure.

MR. SEALS:

You've gone beyond the five (5) minutes. If you could wrap up in say thirty (30) seconds to one (1) minute that would be fine unless somebody wants to defer their time.

MR. ZASADNY:

I'll give her mine.

MR. SEALS:

And your name sir?

MR. ZASADNY:

Bob Zasadny.

MR. SEALS:

Bob? What was that?

MR. ZASADNY:

Zasadny.

1 MR. SEALS:

2 Zasadny. Thank you. Carry on. Thank you.

3
4 MS. LEWIS:

5 Another sh - concern should be - should -
6 another concern should attainment be granted, will IDEM's
7 maintenance plan be enough to protect citizens? The rede -
8 redesignation plan fails to illustrate that the '08 Ambient
9 Air Monitoring Plan reduced the total number of monitors
10 throughout the state by five (5). If IDEM continues with
11 this trend then we will not have enough data to ensure public
12 safety.

13 Moreover, the maintenance plan outlined in the
14 ah - as part of the redesignation plan states that '05 air
15 data will be used as the baseline. The results from that
16 year were called abnormal in the plan. Why would you use
17 data that is considered abnormal as a baseline? Why would
18 you use a baseline that was grossly over the standard? 2005
19 was the second highest in 2.5 concentrations in eight (8)
20 years of collecting data. The 2005 2.5 average was 17.0.

21 IDEM's letterhead boasts the phrase, "We make
22 Indiana a healthier place to live". We need to remind IDEM
23 of their role. We know that there is much political pressure
24 for economic development, however, IDEM's responsibility -
25 that is not IDEM's responsibility. As citizens we rely on

1 them to protect us.

2 Moreover, according to Mitch Daniels, Indiana
3 currently has its lowest unemployment rate in six (6) years.
4 In an article titled, "Economy in top shape" Daniels says
5 published March 21st, '08 in the Courier, Gov. Daniels was
6 quoted as saying, "We've got tens of thousands more jobs in
7 this state than we did a few years ago". Doesn't sound like
8 we desperately need economic development.

9 It is also important to note that the PGCQE
10 supports the 2006 position of the Union of Concerned
11 Scientists that the average annual standard currently
12 established by the EPA at 15.0 micrograms is still not low
13 enough to protect human health. The Clean Air Scientific
14 Advisory Committee had reported to EPA that scientific data
15 showed that in order to protect citizens that an annual
16 average level should be set between 13.0 and 14.0. If the
17 EPA would have set that annual average standard where the
18 CASAC had recommended we would not even be close to
19 attainment.

20 In 2006 EPA funded a study that was published
21 in the March 2006 Journal of the American Medical
22 Association. It showed that exposure level of 13.4
23 micrograms would put eleven point five (11.5) million elderly
24 Americans in increased risk of cardiovascular and respiratory
25 disease. That level is one point six (1.6) lower than the

1 level of 15.0. More than a hundred and sixty-five million
2 (165,000,000) people live in areas where the 2.5 levels are
3 above that recommended standard. How is that protecting us?

4 The redesignation plan is projecting lower
5 levels of sulfur dioxides despite the fact that sulfur
6 dioxide emissions from power plants have been increasing
7 since 2002. From 2003-2006 our sulfur dioxide emissions from
8 power plants are exceeding eight hundred thousand (800,000)
9 tons. 2006 showed a very slight decrease from 2005; yet it
10 still did not get back to our lowest readings in '02 of just
11 below eight hundred thousand (800,000) tons.

12 Sulfur dioxide undergoes chemical reactions in
13 the air; these reactions produce sulfuric acid and Sulphate
14 salts. Sulphate salts contribute to the formation of
15 respirable particulate matter in the air. IDEM is claiming
16 that power plant modifications will improve these numbers.
17 However, most of the modifications will not take place until
18 2008.

19 Additionally, once better technology is in
20 force in these industries these industries will be able to
21 increase their production and still be within the parameters
22 of their permits. Therefore, there is no concrete data to
23 show that if indeed levels - to show if indeed these levels
24 are in fact reduced by the amounts forecasted.

1 MR. SEALS:

2 I'm sorry Ms. Lewis I need to interrupt again.
3 You're on ten (10) minutes now. You're certainly welcome to
4 continue on if there's somebody else that's willing to defer
5 their time, otherwise we're going to ask you to ah wrap it up
6 as quickly as possible, say in thirty (30) seconds or less,
7 so that everybody else has their opportunity to speak.

8
9 MR. COLE:

10 If we have time remaining and anybody wants to
11 speak can we do that?

12
13 MR. SEALS:

14 Right. What we said at the beginning is if we
15 have time remaining after everybody that has signed up to
16 speak wants to speak, if there's time remaining anybody who
17 is interested has that opportunity to step back up and speak.
18 Excuse me sir for the record your name is?

19
20 MR. COLE:

21 Clayton Cole.

22
23 MR. SEALS:

24 Clayton Cole. Thank you.
25

1 MS. LEWIS:

2 I'll stop for now.

3
4 MR. SEALS:

5 Thank you.

6
7 MS. LEWIS:

8 All right.

9
10 MR. SEALS:

11 Next up I have ah Nat Beck and ah Ms. Lewis you
12 will welcome to finish up if we have additional time.

13
14 MS. LEWIS:

15 Okay.

16
17 MR. SEALS:

18 We do have your written comments though. Thank
19 you.

20
21 MR. BECK:

22 My name is Nat Beck. I'm also with Pike-Gibson
23 Citizens for Quality Environment. It is too premature to
24 redesignate to attainment. On June 25th, 2007, The Sierra
25 Club and The American Lung Association filed a lawsuit

1 against the EPA for not holding individual states up to the
2 mandates set forth in the Clean Air Act. The basis for their
3 lawsuit states that EPA requirements are much weaker than
4 those mandated in the Clean Air Act and would allow life
5 threatening levels of air pollution to continue years longer
6 than legally allowed. This is exactly the issue we're
7 dealing with today.

8 The validity of attainment should be postponed
9 until after this litigation is over and the validity of the
10 EPA guidelines are reviewed. Let's talk about this again in
11 2011. Let's see if the trends and forecasts in the
12 redesignation plan become a reality and let's see if the EPA
13 guidelines are upheld or overturned.

14 We all need to ask ourselves - what is at stake
15 here? The answer to the health and safety of our citizens.
16 A study from the American Lung Association titled, "New
17 Studies Confirm that Current Levels of Particulate Air
18 Pollution are Harmful to Human Health" illustrates the
19 following statistics:

20 Chronic exposure to particulate pollution
21 shortens lives by one (1) to three (3) years.
22 People with pre-existing cardiac or respiratory
23 conditions have higher than average risk of death
24 from exposure to particles.
25 Particulate air pollution is linked to heart rate

1 variability, a risk for heart attacks. It is also
2 found that a heart patient's vulnerability,
3 potentially fatal arrhythmias, increases after
4 exposure to air pollution. This is of particular
5 concern when you look at the American Heart
6 Association statistics that tell us that forty point
7 one (40.1) of the deaths in Pike County and thirty-
8 seven point ninety-nine (37.99) percent of the
9 deaths in Gibson County are as the result of
10 cardiovascular diseases.

11 The EPA's website outlines the health effects of
12 PM2.5 as:

- 13 o Aggravated asthma
- 14 o Increase in respiratory symptoms like wheezing,
15 coughing and difficulty or painful breathing.
- 16 o Chronic bronchitis
- 17 o Decreased lung function
- 18 o Premature death
- 19 o EPA estimates that twenty thousand (20,000)
20 people die per year as a result of PM2.5
21 pollution.

22 Please help us protect our quality of life!!

23 In your opening statement ah you said that
24 three (3) complete years of data is needed before
25 redesignation can occur. And I understand that there are no

1 three (3) complete years of data in this 2004 to 2006 three-
2 year interval. But there is in fact sections of that time
3 unaccounted for. That should put a stop to this process
4 right there on a technicality.

5 Another thing is that pollution knows no
6 boundaries whether it be state lines, county lines, township
7 lines. We need more air monitors not less air monitors. We
8 need to keep track of the air as it is but not on particular
9 days. It should be monitored more often than every three (3)
10 days.

11 Under Section 107 of the Clean Air Act,
12 according to IDEM's website, it states specific requirements
13 be met in order for air to be considered for redesignation
14 including under A: A determination that the area has attained
15 the annual standard for fine particles. (It reads the very
16 same thing for the 8 hour Ozone standard.) With the new
17 Ozone standards in effect, both Vanderburgh and Warrick
18 Counties were way over the standard from 2005 to 2007. How
19 can you argue for PM2.5 and ignore the ozone?

20 Also under Section 107 under letter C: a
21 determination that the improvement in air quality is due to
22 permanent and enforceable reductions in emissions resulting
23 from the implementation of the State Plemen - Implementation
24 Plan (SIP) and other federal requirements.

25 If that is so then IDEM has determined exactly

1 where the pollution in this area is coming from. Where can a
2 report on these findings be located, and what measures have
3 been taken to permanently reduce the PM2.5 and ozone?

4 Also on the website it reads "fine particles
5 2.5 microns or smaller, have been signaled out as those
6 responsible for many adverse respiratory problems".

7 Everyone is concerned about the air and the
8 Economic Development of Indiana. But if IDEM relaxes the
9 Environmental standards, it will be inviting more polluting
10 industry to an already saturated State.

11 Enforce the standards already in place and
12 maybe some cleaner industries will be attracted to this area.

13 Thank you.

14
15 (AUDIENCE APPLAUSE)
16

17 MR. DELONEY:

18 Next up - I - I did want to briefly mention ah
19 - trust me, Shawn and I hate to have to interrupt you. That
20 would certainly not be our judgment and we do apologize for
21 the time constraints. It wasn't something foreseen.

22 Ah Ron Elstro, in the back of the room, is
23 keeping ah really good - doing a really good job in keeping
24 time. When you are providing your comments if you could look
25 up he can help give you a signal to let you know when you're

1 winding down and that would certainly ah save us from having
2 to interrupt you because I know that that interferes with the
3 tract that you're on. Next up is Mr. Chuck Bauer.

4
5 **MR. BAUER:**

6 Thank you and welcome. I'm representing myself
7 and my children and my grandchildren. And I think you know
8 and I know that the air quality in Evansville is rotten. We
9 have too much particulate matter, we have a problem with
10 ozone and it appears from everything I can see is that you're
11 trying to shave whatever numbers you can to find some way to
12 pick a period of time that you can call us in compliance to
13 allow further pollution.

14 I'm an outdoorsman. I do a lot of fishing, I
15 do a lot of hunting, I can do like kayaking. That goes for
16 my children and my grandchildren. In fact my grandchildren
17 have a tent in their backyard where they like to sleep out
18 there in the summer with the dog. When I finally caught on
19 in the middle of last year that we usually don't get reports
20 in a timely manner as to the problem with both particulate
21 matter and ozone, I started monitoring the stuff on the
22 computer the best I can. And now I have to call up my
23 daughter-in-law and say tell the kids they can't go out and
24 we need to cancel our trip to Garden Park because it's not
25 safe to go out and breathe the air in Evansville, Indiana.

1 Indiana. And you're telling me that it's a great idea that
2 we're going to change the compliance.

3 Ah as I understand it the ozone is a health
4 issue. And fine particulates are a health issue. Why in the
5 world are we looking at those separately? If, in fact, we
6 have an ozone problem our particulate goals should be lower
7 than places that don't have an ozone problem. And - and -
8 and the same thing for particulates. So ah it's - it's just
9 ridiculous doing that.

10 I can give you a few solutions that will help
11 you a lot. First of all if you would double the air monitors
12 you'd find a lot more problems. That's what you ought to do.
13 If we have a health issue here in Evansville, Indiana, let's
14 get more air monitors and let's find out what's going on.

15 The second thing you can do is if in fact data
16 is missing or somehow gaps in the information are there, just
17 assume it's non compliance. That'll start to get you all the
18 stuff in without any trouble. And I'm sure you've already
19 taken those areas where you have gaps and at least factored
20 those to assume that there were many non compliance days in
21 those as there were any others so you're not simply allowing
22 somebody that's lost one (1) or two (2) non com - one (1) or
23 two (2) compliance days that - that are recorded or moving.
24 I mean it is absolutely ridiculous that I have to call my
25 daughter-in-law and tell her my grandchildren can't go

1 outside. The rest of this is a bunch of junk looking at
2 these numbers.

3 So I would urge you to do whatever you can to
4 get your act together, get more monitors in Evansville and
5 for gosh sakes don't call us in compliance when its your
6 decision that it's this close.

7 Thank you.

8
9 (AUDIENCE APPLAUSE)

10
11 MR. DELONEY:

12 Next up is Sue Vernier.

13
14 MS. VERNIER.

15 Vernier.

16
17 MR. DELONEY:

18 Vernier. I'm sorry.

19
20 MS. VERNIER:

21 We at the Evansville Audubon Society would like
22 to express our concern about the proposal to redesignate
23 Southwestern Indiana as being in attainment of the National
24 Air Quality Standard for PM2.5 fine particulate air
25 pollution.

1 Reports we have seen indicate that the area has
2 been out of attainment for five (5) out of the last eight (8)
3 years according to the EPA data. For the three (3) years in
4 which the data was in attainment, the average is essentially
5 at the 15.0 micrograms per cubic meter limit. During that
6 time monitors have exceeded the limit. It is also not clear
7 how instrument accuracy, repeatability and precision were
8 accounted for and if an error analysis was performed.

9 Further, the data from the new particulate
10 monitor in Gibson County has not been taken into account.

11 We also understand that there are proposals to
12 construct five (5) additional power generating facilities and
13 five (5) more ethanol refineries in the region. All of these
14 will produce fine particulates subject to regulation under
15 the PM2.5 requirements. If we are currently just at or
16 possibly slightly below the limit, depending upon instrument
17 error and prevailing meteorological conditions, how can we
18 responsibly declare attainment when we know that additional
19 sources will be coming on line which will almost certainly
20 push us back over the limit?

21 Prior to the adoption of the 15.0 micrograms
22 per cubic meter limit, the EPA's Clean Air Scientific
23 Advisory Committee recommended setting the fine particulate
24 limit at 14.0. This was based on health data that indicated
25 problems at levels below 15.0. We believe it is ill advised

1 to designate attainment based upon marginally meeting a limit
2 that many believe is too lax in the first place. We also
3 understand that the American Lung Association and others have
4 filed a lawsuit against EPA on just this subject.

5 The Evansville Audubon Society is pleased that
6 actions taken by Indiana, U.S. EPA and local industries that
7 have led to possible improvements in air quality. But in
8 view of the above, we believe it is premature to change the
9 attainment status of the region. We urge IDEM to wait until
10 2010 in order to incorporate and evaluate new data from the
11 Gibson County monitor ah to determine if projected emission
12 reductions actually happen, and to collect enough data from
13 the existing monitors to reliably say if there is a
14 significant and continuing downward trend in PM2.5 levels.

15 Thank you.

16
17 (AUDIENCE APPLAUSE)
18

19 MR. SEALS:

20 Thank you.
21

22 MR. DELONEY:

23 Next up ah Ms. Pauline Singer.
24
25

1 MS. SINGER:

2 Hi. My name is Pauline Singer and I am pleased
3 to have the opportunity to voice the concerns I have with
4 IDEM's ah Redesignation Plan.

5 I feel that IDEM has overlooked several
6 important factors in determining that now is the time to
7 place the South - ah the Southwest portions of Indiana that
8 are currently in nonattainment into attainment. I would like
9 to point out these vital factors, number one (1) being the
10 fact that the data IDEM is using to justify this
11 redesignation clear - clearly shows that out of the previous
12 eight (8) years, five (5) of those years' data showed that
13 these areas of nonattainment had **above normal** readings of
14 PM2.5 And the data also shows that in 2005, the fine
15 particulate matter levels got as high as seventeen (17)
16 percent! Health experts recommend a level of no higher than
17 fourteen (14) percent to be safe. The year 2005 was one (1)
18 of the **worst** years on record for high levels of PM2.5

19 IDEM **failed miserably** to protect the health and
20 well-being of Indiana citizens. Where are the permanent
21 improvements that you're claiming to have put in place? And
22 how can the citizens of Indiana put their trust and faith in
23 IDEM when IDEM is going to use 2005's data as a guide to
24 predict future air quality? Any PM2.5 levels below 2005's
25 will look better, right? IDEM should be **making certain** they

1 obtain readings of fourteen (14) percent PM2.5 or less, not
2 settle for anything below 2005's levels of seventeen (17)
3 percent.

4 Another very important factor that IDEM is not
5 considering is **new source pollution**. In my area of Southwest
6 Indiana, I know of at least ten (10) possible sources that I
7 think should be considered and taken into account. These new
8 sources of pollution include - include power plants, proposed
9 ethanol plants, railroad yards, and let's not forget the
10 construction of I-69 that will start soon. I would like to
11 emphasize the fact that in a sixty (60) mile radius of my
12 home there are **seventeen (17)** coal fired power plants!

13 I have **no** reason to believe that IDEM will make
14 Indiana a cleaner, healthier place to live, as the logo on
15 their letterhead claims. I place **none** of my faith in IDEM to
16 keep the air that my family breathes clean. I believe IDEM
17 should be **discouraging** any possible air polluting industries,
18 not including them or encouraging them, when in fact, that's
19 exactly what they will be accomplishing if the Redesignation
20 Plan is adopted.

21 Another important factor that IDEM has failed
22 to consider is the weather. As we all know, weather has a
23 huge impact on PM2.5. I would like to mention that I am
24 aware of the Federal Lawsuit filed against the EPA by not
25 only the American Lung Association, but the Sierra Club and

1 the Clean Air Advocates as well. I really do wish my area
2 was in attainment. I request that IDEM postpone their
3 Redesignation Plan. I believe, when you thoroughly take into
4 account all possible factors, it is too early to predict with
5 complete accuracy, that the nonattainment areas will be in
6 attainment.

7 Please, during your decision making process,
8 stop and take a moment to consider those citizens that will
9 be the most affected by your actions. Take just a minute and
10 stop and think. Those most adversely affected will be our
11 children, the elderly population, and people with chronic
12 health conditions like asthma, and respiratory diseases, and
13 there are a lot of them. The health and well-being of all
14 Indiana citizens is in your hands. Now is the time to show
15 us that you can act responsibly and do what's right to
16 protect us from harmful air pollution. You owe it to the
17 citizens of Indiana and yourself. Please don't make this
18 decision in haste. I would like to see the quality of life
19 improve here in our state, not worsen under your supervision.

20 Thank you.

21
22 (AUDIENCE APPLAUSE)
23

24 MR. DELONEY:

25 Next up is Jean Webb.

1 MS. WEBB:

2 Hello, my name is Jean Webb. And I'm here to -
3 I would like to encourage IDEM to base their decision on good
4 science. What I've handed you now is a chart. I pulled the
5 data off the IDEM website and I've charted the '03, '04 and
6 '05 data.

7 Ah we want to base this decision on
8 specifications and on data. Now the specification is 15.0.
9 There is a lot of information out there saying that that's
10 not truly protective of human health, but that's the
11 specification that we have. So I accept that.

12 But if you look at the three (3) year bar graph
13 you'll see just by looking at these, and I'm sure you can
14 graph all the way back to '99, that the year 2004 is an out
15 lier. We had unusually cool weather. It's an out lier.
16 Based on this comment that year should be excluded. We've
17 got '05, '06, '07 data. However, one (1) of the problems I'm
18 hearing with your data is you're missing data in August.

19 And if you take a look at these charts I've
20 prepared you'll see that the third quarter data is already
21 much higher. And you can also see on the pie charts to the
22 side that even though it only represents twenty-five (25)
23 percent of the time of the year and it can represent anywhere
24 from thirty (30) to thirty-five (35) per cent of the
25 pollutants for the year. Therefore, if you're missing data

1 points in the third quarter, you're biasing your results
2 high. And we're already sitting right on the line for the
3 specification. So if you're biasing your results high then
4 you're not protecting human health.

5 So I would please ask that you use this science
6 when determining whether or not to call us out of attainment.

7 Thank you.

8
9 (AUDIENCE APPLAUSE)
10

11 MR. SEALS:

12 Thank you.
13

14 MR. DELONEY:

15 Thank you. Mr. ah Clayton Cole.
16

17 MR. COLE:

18 I'm waiting for my notes.
19

20 MR. SEALS:

21 I'm sorry?
22

23 MR. COLE:

24 I'm waiting on my notes. Okay. My name is
25 Clayton Cole. Ah I've lived in - I've lived in Evansville

1 for about thirteen (13) or fourteen (14) years. Ah I moved
2 here when I was about ten (10) years old and ah I actually
3 just moved just recently to Angel Mounds by Alcoa and
4 everything. I only been living there for a few months and I
5 developed reactive airway disease. Ah and so like I've had
6 those sorts of problems since then. I lived in California
7 before that ah near San Francisco and I - you know I heard
8 the pollution is pretty bad there but you know since I moved
9 over here it got you know where it is.

10 Well ah first of all I wanted to say that I
11 really respect ah that you - the work that you do and the
12 agency that you work for. Ah you know I mean that the idea
13 is to protect people's health and protect the environment and
14 stuff and I really respect that, your training and
15 everything. And I know that you're probably a pretty
16 technical guy and that you're not - it's not your fault that
17 people you know like this - there's so many forces that want
18 things - just things to go their way that the most powerful
19 forces are also the most ah intangible. Like back in the
20 days of Revolutionary War it was real clear who - you know
21 like when they said taxation without representation the
22 picture was clear who was taxing and who was oppressing. But
23 nowadays it's just - there's so many different forces from
24 everywhere that you can't even - there's no - there's no face
25 to the enemy. So I'm sorry people are taking it out on you

1 in particular but ah you know I know that you all have
2 specific responsibilities and you know there's good and bad
3 science now. I'm not an expert on that so I can't say on
4 that. But I just want to lay it out there.

5 Ah I heard that in order for everybody - every
6 single person in the United ah or in the world to have the
7 same average standard of living - like the average - if the
8 average standard of living of everyone on the planet was the
9 same as the average standard of everybody living like in
10 America we would need three (3) additional planets that were
11 nothing but fields and mines with ah no - no population at
12 all. That's so much - that's what we're doing to this world
13 and that's what we're doing to our country and to our lungs
14 and - and everything else. So we just keep chasing the same
15 thing over and over again. And it's the whole thing about
16 the job and stuff is it's really ridiculous because one (1)
17 day eventually the coal is going to run out and we're just
18 going to be stuck somewhere without jobs again. If we want
19 jobs and stuff we need to train people to do things like to
20 have education and stuff. We don't want to you know - like I
21 need a job and everything but I don't want to work in a coal
22 mine, I don't want to work on a barge and I don't want to
23 want in a fucking - sorry. I don't want to work in a power
24 plant. It's ridiculous. I mean I want to go - I want to go
25 to school and I want to like you know study something like -

1 you know like - you know there's so many things I could study
2 besides digging out coal and burning - burning stuff up. I
3 mean it's ridiculous.

4 They're showing all these people all this stuff
5 and we're shooting this thing that it's not going to last.
6 One (1) day our grand - our grandkids or whatever you know -
7 you know my kids, my grandkids when the coal runs out there's
8 just going to be stuff just as bad. But since we keep using
9 so much - all this extra food and stuff, to be honest there's
10 probably going to be even more - so many more people. We
11 need to focus on the right things.

12 Ah and it's also true that there's going to
13 create - it's going to create more jobs by moving the power
14 plants here but the jobs they're going to create are more
15 heart and lung specialists to keep us going which are going
16 to take our money away. All the money that the new jobs buy
17 are --

18
19 (AUDIENCE APPLAUSE)
20

21 All the money that's ultimately keep us going,
22 all the great new jobs from just digging up the coal and
23 stuff, there's just going to give it all back to doctors. I
24 mean the people who's jobs you're creating are doctors, their
25 oil and gas people, they're mining people and they're people

1 that do the shipping and stuff on the barges. The real
2 benefits doesn't even go to us. Even if we had - even if
3 everybody had a job at homeland we're still - it's still the
4 same thing. And plus the thing about the grid they just
5 completely railroaded us.

6 Like you know California -. you know California
7 is said to have a lot of people that will stand up and speak
8 their minds so they won't put power plants there. But here
9 we're like oh we're desperate for these jobs so we build the
10 power plants around here. And it's just - we put the power
11 plants around here. It's all - all we're doing is just
12 shoving this shit upon to us like we shove the shit on all
13 the other countries. But you know there's levels like you
14 can give someone a job and ah you know they need a job real
15 bad in Bangladesh or whatever so you know you can - you go
16 over and make stuff on (inaudible) so we're just about like
17 that. You know we jump so bad so I'm going to sacrifice my
18 freaking lungs for a job.

19 I don't know what else to say. I mean --
20

21 MR. DUNNIGAN:

22 It's illogical. Nothing you can say.
23

24 MR. COLE:

25 Yeah. I mean it's really - I mean like there's

1 - you know there's - there's nobody has any responsibility.
2 It's all like you know someone - there's - there's - you know
3 we have this (inaudible) you know like everybody has
4 something. There's nobody that's in charge anywhere.
5 There's always someone who says like (inaudible) one (1) of
6 the most powerful people in the world, and what happened?
7 They wrote her a letter that said hey you need - you need to
8 know we want. Even the most powerful people in the world
9 don't have any power. And now it's ridiculous.

10 Ah we're just - we're just like the idiots in
11 China and stuff like you know power and stuff. Like you know
12 power and stuff - food is so horrible in China people are
13 dying and stuff and you know the science - the science is
14 completely ridiculous like you know if you have to pick three
15 (3) years why don't you just pick 1604, 1606 and 1607 where
16 the weather was beautiful you know?

17
18 (AUDIENCE LAUGHS)
19

20 MR. SEALS:

21 Mr. Cole unfortunately your five (5) minutes is
22 a little bit past. Ah thank you for your comments.
23

24 (AUDIENCE APPLAUSE)
25

1 MR. DELONEY:

2 Stephen Obermeier.

3
4 MR. OBERMEIER:

5 I have a bad cold so I will try to stroll
6 through this. I'm thankful for the opportunity to speak here
7 today. I think this has been very informative to me. And ah
8 I want to recommend the committee men for being so non-
9 confrontational. If I had someone beating up on me like ah
10 they've been beating up you I think you must be ah either
11 paid awfully well or something.

12
13 MR. DELONEY:

14 A glutton for punishment.

15
16 MR. OBERMEIER:

17 You know anyhow, I'm a retired civil engineer.
18 I live at Rockport, Indiana. I retired from the U.S.
19 Geological Survey in Washington, D. C. area where I worked as
20 an earthquake engineer. In fact I've - I'm basically a
21 scientist ah throughout my professional career and I've tried
22 to be very careful with my data.

23 Ah I've learned a lot from various sources of
24 various detailed data here this evening but I would like to
25 give a bit of an overview ah because I've noticed a lot of

1 difference in the last year or so to try to figure out what's
2 going on. You hear so many stories about this coal
3 technology, this, that and the other. And I thought well I'm
4 just going to have to strike out on my own like the scientist
5 I've been all my entire career.

6 The principal issue being debated today is the
7 level of particulate emissions in the lower Ohio Valley of
8 Indiana. It is clear that the present level is essentially
9 at the maximum permissible under law. To investigate the
10 consequences of particulate emissions, I have launched a web
11 search, and contacted some leading scientists in the State of
12 Indiana. My findings follow.

13 First of all I contacted Dr. Stephen Jay. He's
14 the Chair of the Department of Public Health, Indiana
15 University School of Medicine and definitely a heavy weight
16 in helping to us in this state. And he said in September of
17 2006 to the Indiana Legislature that quote "as a result of
18 fine particulate pollution, the costs associated with
19 premature mortality, illness, and lost productivity in
20 Indiana exceed five billion (\$5,000,000,000) dollars each
21 year". Five billion (\$5,000,000,000) dollars. So end of
22 quote. About two (2) weeks ago I phoned him and we spoke for
23 about forty (40) minutes and I asked him if he felt his
24 figures in 2006 given to the State Legislature were still
25 relevant, and he replied - replied affirmatively.

1 Let us now examine the effectiveness of
2 removing particulates. In 2005, Professor Kristin Shrader-
3 Frechette, an endowed professor at Notre Dame in the
4 biological sciences, wrote that quote "compared to a coal
5 plant, the U.S. DOE correctly says that quote a "clean coal"
6 gasification plant emits only about sixty-five (65) percent
7 of a standard coal plant. Well stan - coal - you've seen
8 coal technology guys that'd have you believe that there's no
9 problem. Oh no. They're talking about - about two-thirds
10 (2/3) as much as a standard coal plant. If you think the
11 coal - clean coal guys wants to hear that? No, no. And
12 these are from DOE statements. You're not - you know sixty-
13 five (65) percent.

14 So back to our quote "particulates cause
15 cancer, heart attacks, asthma, and other ailments. 2004 data
16 from the National Cancer Institute show that every microgram
17 increase in particulates, a few millionths of a gram, causes
18 an in - an eighteen (18) percent increase in heart attack
19 fatalities". If it drops from 15.0 to 14.0 you're going to
20 drop the heart attacks eighteen (18) percent. If you drop
21 them from 14.0 to 13.0 you drop another eighteen (18)
22 percent. This keeps going all the way down to basically zero
23 (0).

24 The point to be made from the preceding
25 citations is that it appears probable that even a small

1 increase in removal of particulates would be highly cost
2 effective. And I say that on the basis of some information
3 that the coal industry came out with about two (2) weeks ago
4 when they said how much it would cost to do it. If you
5 compared that with Dr. Jay's numbers here, well I - I think
6 it is very cost effective to the removal of particulates.

7 If Indiana is to use coal in the future, why
8 can't it at least be economically responsible, and not do it
9 in a manner not detrimental to our health? I point out that
10 doing so would particularly have a major impact on improving
11 health of local citizens here in the Ohio Valley.

12 Dr. Jay informed me that the particulate
13 problem lies mainly within thirty (30) miles of the emitting
14 coal plant. So, we here in the Ohio Valley, are paying the
15 price for - for many of our dirty plants. Why must we
16 continue to do so in the whole state?

17 And by the way, this is in Mr. Forbes - Forbes
18 Magazine, a pro-business publication, has ranked Indiana to
19 be 49th out of fifty (50) as polluting state. That was in the
20 last four (4) or five (5) months, next to the absolute
21 bottom. Quite a distinction to be ashamed of, wouldn't you
22 say?

23 In summary, the Ohio Valley in the local area
24 is an open sewer for air pollution, and I suspect that
25 everyone in this rooms knows so, but you.

1 Thank you.

2
3 (AUDIENCE APPLAUSE)
4

5 MR. DELONEY:

6 William McCoy. Mr. McCoy I'm sorry to
7 interrupt before you start but we do have five (5) comment
8 cards left and if we are able to stick to our five (5)
9 minutes we'll make sure that everybody that has signed up to
10 speak will have time.
11

12 MR. McCOY:

13 Okay.
14

15 MR. DELONEY:

16 With that I didn't take your time. It's yours.
17

18 MR. McCOY:

19 Thank you. Thank you Mr. Deloney and Mr.
20 Seals. Ah I appreciate this opportunity to comment on the
21 Indiana Department of Environmental Management's request that
22 the EPA approve the Redesignation and Maintenance Plan for
23 the Southwest Indiana area for fine particles.

24 IDEM is to be congratulated for putting
25 together and analyzing a large volume of air quality

1 information within this Redesignation proposal. I have
2 reviewed the document and have many questions and many
3 concerns. It seems presumptuous at this time for IDEM to
4 recommend that Southwest Indiana be redesignated from
5 nonattainment for fine particle matter pollution to
6 attainment with maintenance.

7 It's my understanding that IDEM has until April
8 2010 to meet the fine particle standard based on the State
9 Implementation Plan. This plan identifies the current status
10 of air quality along with demonstrated maintenance techniques
11 that provide assurance of permanent and enforceable emissions
12 reduction including consideration of new sources of fine
13 particles. Actual redesignation to attainment status in 2010
14 could then be based on 2007, 2008, 2009 monitoring data
15 which, if predictions are correct, could easily meet the
16 attainment standards that we're hoping for.

17 It is often said that if you have good health
18 you have everything. The healthy person in retirement or the
19 child at home is a happy person who can enjoy life in many
20 ways. There is indisputable proof that the fine particulate
21 matter pollution causes serious health problems and higher
22 morbidity rates, especially for the young, the old and those
23 suffering from debilitating conditions such as cardio
24 pulmonary disease. If IDEM errs in their predictions
25 regarding permanent reductions of fine particulate matter,

1 their error will be sure to cause pain, misery and suffering
2 for some of the less fortunate people in our communities in
3 Southwest Indiana.

4 IDEM needs to be - needs to acknowledge that
5 the health impacts resulting from fine particulate matter
6 pollution also carries with it untold economic impact, which
7 we've heard about here earlier, relates to lost time,
8 unemployment, public assistance, increased medical costs and
9 demand for more medical facilities.

10 Any decision by IDEM or EPA to lessen control
11 and containment of fine particulate matters should grant
12 every benefit of the doubt in favor of protecting the health
13 and well being of its citizens of Indiana.

14 It's my hope that IDEM and EPA will delay this
15 proposed redesignation.

16 A review of data collected from the four (4)
17 monitors of record in Evansville and Jasper from 2000 through
18 2006 shows Vanderburgh and Dubois Counties were in violation
19 of National Ambient Air Quality Standards for fine particle
20 matter for five (5) out of seven (7) years.

21 It's a recognized fact that weather patterns
22 varying from year to year are some of the most important
23 factors influencing development and transport of fine
24 particles. Stagnant surface conditions may at any time of
25 the year and upper air ridging provides conducive conditions

1 for the development and transport of fine particles. It's
2 all a well known fact.

3 Pending data to the redesignation plan shows
4 data on sulfur dioxide emissions for all plants in Indiana.
5 From 2002 to 2006 fourteen (14) coal fired plants showed
6 increased emissions of sulfur dioxide of a hundred thirty-six
7 thousand nine hundred sixty-three (136,963) tons while
8 twenty-one (21) coal fired plants reduced sulfur dioxide by
9 ninety-four thousand seven hundred ninety-six (94,796) tons.
10 That resulted in a net increase of forty-two thousand one
11 hundred sixty-six (42,166) tons of sulfur dioxide emissions
12 which is one (1) of the primary contributors of fine particle
13 pollution.

14 Purdue University's State Utility Forecasting
15 Group predicts that Indiana will need more than ten thousand
16 six hundred (10,600) additional megawatts of electricity by
17 2023. This was presented at the Edwardsport hearing about
18 the coal gasification plant. That means three (3) new power
19 plants the size of Gibson Generating Station, the third
20 largest coal fired plant in the world producing three
21 thousand two hundred and fifty (3,250) megawatts. So, even
22 with reductions in pollution emissions, the increase in the
23 amount of coal used to meet projected power demands will mean
24 additional pollution emissions.

25 We all need to recognize that Southwest Indiana

1 is situated in the Illinois Coal Basin and is blessed with
2 rivers, large quantities of high sulfur coal and good
3 transportation by rail, barge and trucks. These natural
4 resources have resulted in high concentrations of coal fired
5 power plants. The tri-state area of Southwest Indiana has
6 the largest concentration of coal fired power plants per
7 given geographic area of anywhere on earth. We need to
8 recognize that the extraction of coal, the transport of coal
9 and the burning of coal have contributed greatly to the
10 economy of Southwestern Indiana with many jobs over the past
11 century. There is a down side. That is our dirty air shed.
12 To maintain acceptable standards of air quality means other
13 polluting industries need to locate elsewhere.

14 IDEM's own modeling analyses of particle matter
15 sources have proven that Southwest Indiana is significantly
16 impacted by regional transport of particulate matter and
17 precursors. The question that needs to be addressed in more
18 detail is how successful can Indiana be in limiting fine
19 particle emissions from adjoining states like Kentucky and
20 Illinois that also share in the same wealth of natural
21 resources and coal?

22 As fuel prices continue to rise, the push for
23 alternate fuels such as ethanol and biodiesel has led to a
24 rush for construction refineries and power plants to operate
25 those refineries.

1 MR. SEALS:

2 Mr. McCoy?

3
4 MR. McCOY:

5 To make it possible --

6
7 MR. SEALS:

8 Mr. McCoy I do hate to interrupt, I sincerely
9 do, but we've had two (2) new submittals here and we've gone
10 a little beyond the five (5) minutes. So if you could wrap
11 up here real quickly that would be great.

12
13 MS. LEWIS:

14 I will give up my time.

15
16 MR. SEALS:

17 What's your name?

18
19 MS. LEWIS:

20 Rachel Lewis.

21
22 MR. SEALS:

23 Rachel Lewis? Carry on please.